

The attached document is part of a mass mailing. The number of identical documents as specified in the File Number/City, St. field have been received by the Commission on this same date. You may view the documents at the FCC Reference Information Center, at 445 12<sup>th</sup> Street, SW, Washington, DC, Room CY-A257.

EX PARTE OR LATE FILED

02-230

Tuesday, October 28 2003

Commissioner Kevin J. Martin  
445 12th Street, NW  
Washington, DC 20554

VIA FACSIMILE

Dear Commissioner Martin,

RECEIVED

NOV - 5 2003

Federal Communications Commission  
Office of the Secretary

As a consumer of broadcast television, electronics, and computer products, I urge the Federal Communications Commission to vote against the adoption of a "broadcast flag." I am gravely concerned that a broadcast flag regulation would restrict the way I enjoy television.

The digital television transition relies on convincing consumers of the benefits of switching to and buying digital television equipment. That transition will be far more palatable to me as a consumer if switching doesn't mean discarding my existing home network, buying new high-resolution displays, and finding room for yet another device in my living room. Please do not allow the MPAA and its allies to hinder the transition by making us buy special-purpose DTV devices that are more expensive and less valuable.

In addition, I am very concerned about the fair-use implications of the broadcast flag. With today's technology, I can be more than a passive recipient of content -- I can modify, create, and participate. I can record TV to watch later; clip a small piece of TV and splice it into a home movie; send an email clip of my child's football game to a distant relative; or record a TV program onto a DVD and play it at my friend's apartment. The broadcast flag seems designed to remove this control and flexibility that I enjoy.

If the move to digital television does not make the public's viewing experience more enjoyable, flexible, and exciting, what compelling reason do I have as a consumer to buy new digital equipment? A prettier TV picture is hardly enough reason for me to dispense with all my current consumer electronics and computer equipment. As a consumer of broadcast television, I urge you to promote the digital transition by opposing the broadcast flag.

Sincerely,

Fernando Botelho  
318 Elm Street  
New Haven, CT 06511